

**CALENDAR ITEM
C33**

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04/23/15
PRC 5281.1
M. Schroeder

**ACCEPTANCE OF A QUITCLAIM DEED AND ISSUANCE
OF A GENERAL LEASE – RECREATIONAL USE**

LESSEE:

Shirlee M. Queirolo, Trustee of the Queirolo Family Trust U/T/D March 8, 1993
and Shirlee M. Queirolo, Trustee of the Queirolo Family Marital Deduction Trust
dated March 14, 2000

APPLICANT:

Second Manassas, LLC, a California Limited Liability Company

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in Lake Tahoe, adjacent to 833 Stateline Avenue, city of
South Lake Tahoe, El Dorado County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and one mooring buoy.

LEASE TERM:

10 years, beginning March 28, 2014.

CONSIDERATION:

\$694 per year, with an annual Consumer Price Index adjustment.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance in an amount no less than \$1,000,000 per occurrence.

Other:

1. If Lessee does not have valid Tahoe Regional Planning Agency (TRPA) buoy permits, Lessee is required to obtain such authorization for the mooring buoy within two years after the adoption of a Final Environmental Impact Statement (FEIS) for the Lake Tahoe Shorezone Ordinance Amendments and approval of

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the amended ordinances. If Lessee is unable to obtain such authorization within the time limit, they must remove the buoy.

2. Lessee expressly acknowledges and agrees that issuance of a lease does not substitute for, or provide preference in, obtaining authorizations from TRPA or any other regulatory agency for the improvements authorized by the Commission.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland parcel adjoining the lease premises.
2. On May 10, 2007, the Commission authorized a Recreational Pier Lease to Shirlee M. Queirolo, Trustee of the Queirolo Family Trust U/T/D March 8, 1993 and Shirlee M. Queirolo, Trustee of the Queirolo Family Marital Deduction Trust dated March 14, 2000. That lease will expire on May 23, 2015. On March 28, 2014, the upland was deeded to Second Manassas, LLC, a California Limited Liability Company. The Applicant is now applying for a General Lease – Recreational Use.
3. The Lessee executed a quitclaim deed releasing her interest in the Lease to the State. Staff recommends acceptance of the quitclaim deed and issuance of a new lease.
4. **Acceptance of a Quitclaim Deed:** The staff recommends that the Commission find that the subject acceptance of the lease quitclaim deed does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

5. **Issuance of Lease:** The staff recommends that the Commission find that this activity is exempt from the requirements of CEQA as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

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6. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Acceptance of a Quitclaim Deed: Find that the subject acceptance of a quitclaim deed is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

Issuance of Lease: Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize acceptance of a quitclaim deed for Lease No. PRC 5281.9, a Recreational Pier Lease, issued to Shirlee M. Queirolo, Trustee of the Queirolo Family Trust U/T/D March 8, 1993 and Shirlee M. Queirolo, Trustee of the Queirolo Family Marital Deduction Trust dated March 14, 2000, effective March 27, 2014.
2. Authorize issuance of a General Lease – Recreational Use to Second Manassas, LLC, a California Limited Liability Company, beginning March 28, 2014, for a term of 10 years, for the continued

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use and maintenance of an existing pier and one mooring buoy, as described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; annual rent in the amount of \$694 with an annual Consumer Price Index adjustment; and liability insurance in an amount no less than \$1,000,000 per occurrence.

EXHIBIT A

PRC 5281.1

LAND DESCRIPTION

Two parcels of submerged lands situated in the bed of Lake Tahoe, lying adjacent to fractional Section 27, Township 13 North, Range 18 East, M.D.B.&M., as shown on Official Government Township Plat approved July 8, 1875, County of El Dorado, State of California, more particularly described as follows:

PARCEL 1 – PIER

All those lands underlying an existing pier and catwalk lying adjacent to that parcel described in Grant Deed recorded March 28, 2014 in Document No. 2014-0011567-00 in Official Records of said El Dorado County.

TOGETHER WITH any applicable Impact Area(s).

EXCEPTING THEREFROM any portion lying landward of elevation 6223 feet LTD on the shoreline of said Lake Tahoe.

PARCEL 2 – BUOY

A circular parcel of land, being 50 feet in diameter, underlying an existing buoy lying adjacent to that parcel described in Grant Deed recorded March 28, 2014 in Document No. 2014-0011567-00 in Official Records of said County.

Accompanying plat is hereby made part of this description.

END OF DESCRIPTION

Prepared 11/20/2014 by the California State Lands Commission Boundary Unit.



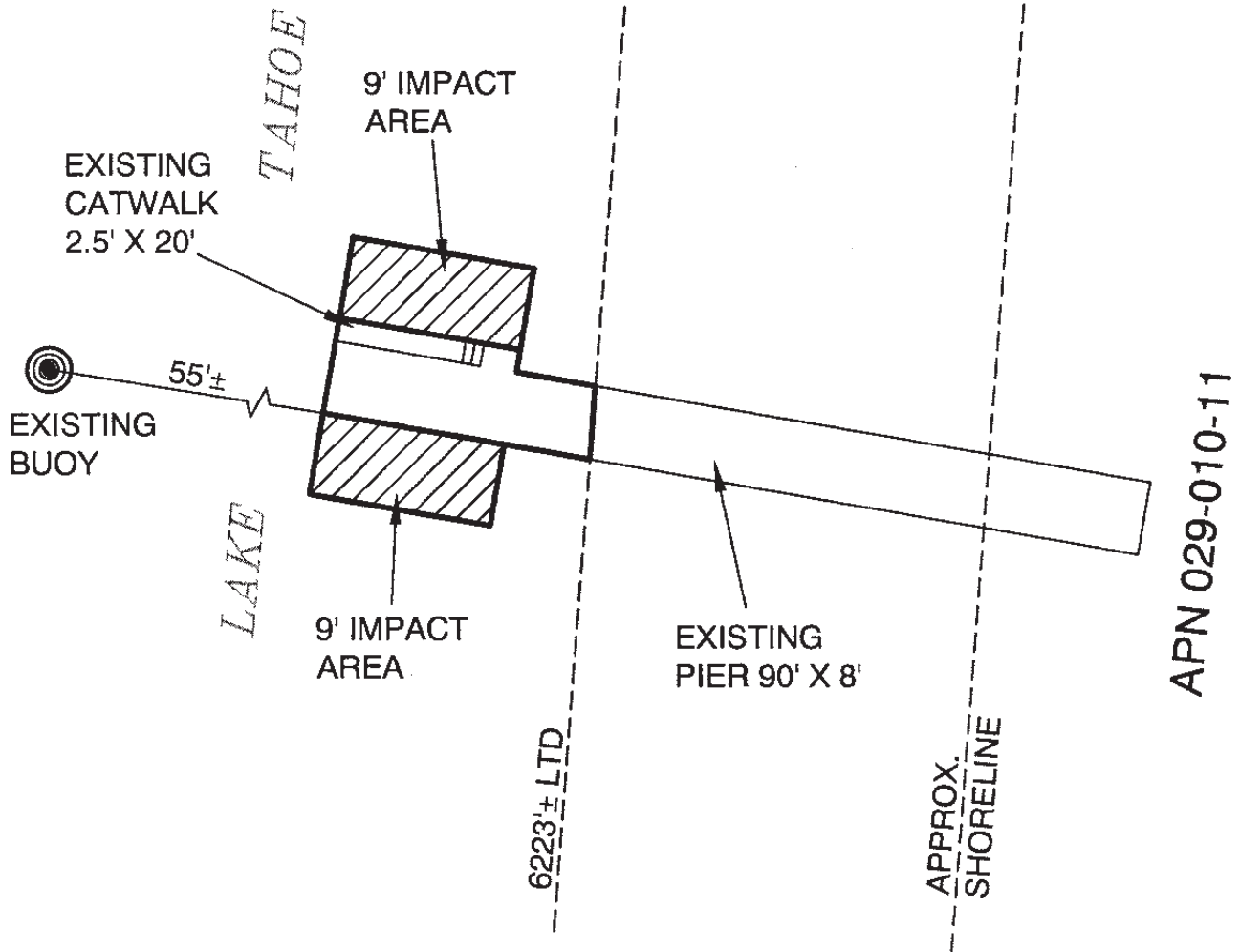


EXHIBIT A

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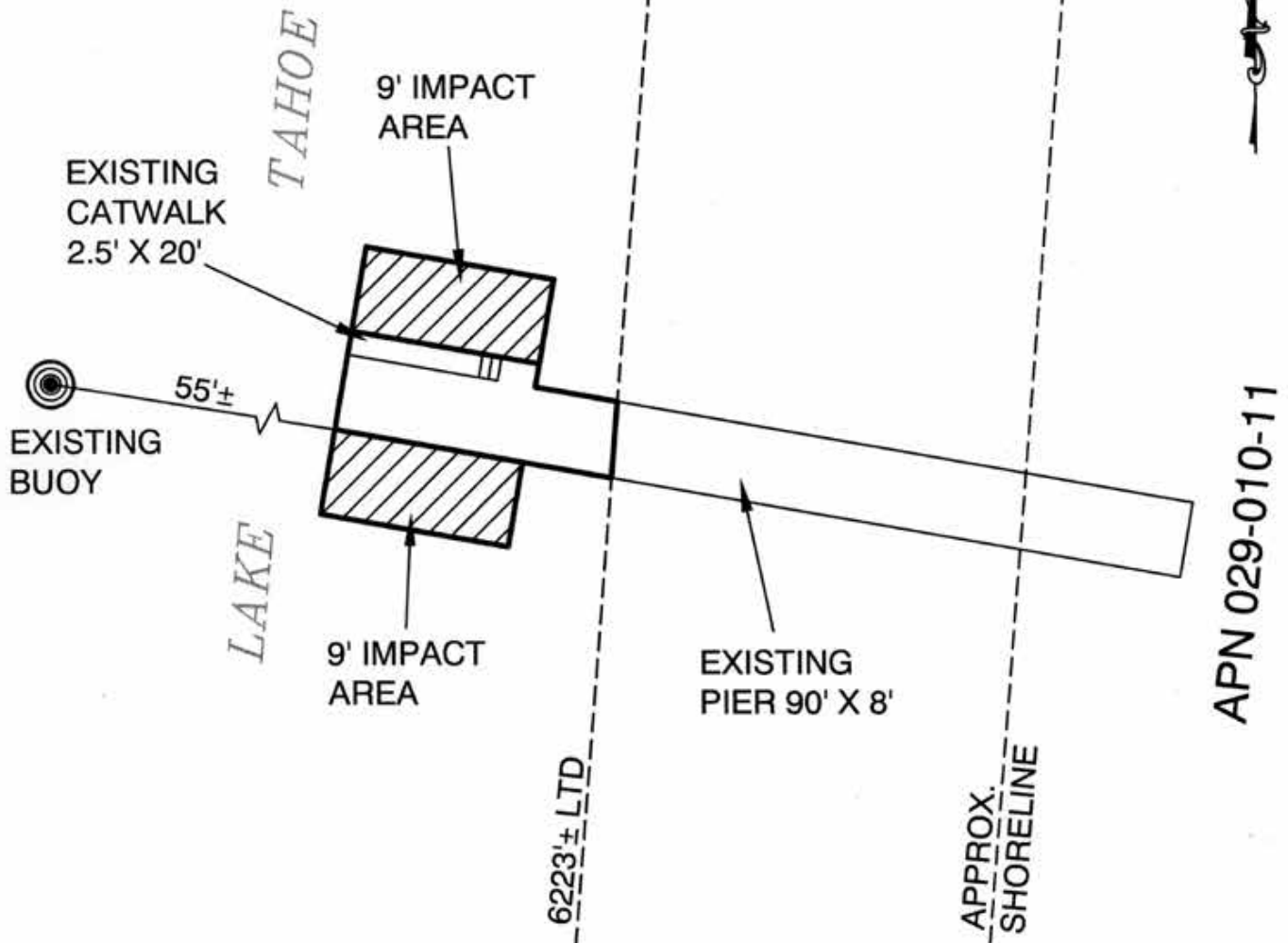
LAND DESCRIPTION PLAT
PRC 5281.1, SECOND MANASSAS, LLC
EL DORADO COUNTY

CALIFORNIA STATE
LANDS COMMISSION



NO SCALE

SITE



833 STATELINE AVENUE, SOUTH LAKE TAHOE

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.

Exhibit B

PRC 5281.1
SECOND MANASSAS, LLC
APN 029-010-11
GENERAL LEASE -
RECREATIONAL USE
EL DORADO COUNTY



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